

# Exhibit H



Farhang Heydari <farhang@nsbcivilrights.com>

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## Indemnification in Allen v. City of St. Louis, 14-cv-1398 (E.D. Mo.)

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Farhang Heydari <farhang@nsbcivilrights.com>

Tue, Apr 26, 2016 at 11:11 AM

To: McDonnellT@stlouis-mo.gov

Cc: Nick Brustin <nick@nsbcivilrights.com>, "Weiss, Charles" <caweiss@bryancave.com>, Emma Freudenberger <emma@nsbcivilrights.com>, "Gado, Ameer" <aagado@bryancave.com>, Vishal Agraharkar <vishal@nsbcivilrights.com>, Colin Lubelczyk <colin@nsbcivilrights.com>

Mr. McDonnell,

Following up on your conversations with Nick Brustin, I am writing to confirm the City's position regarding indemnification of the defendant officers that the State is currently representing in *Allen v. City of St. Louis*, 14-cv-1398 (E.D. Mo.).

We understand that the City has not yet made any commitment to indemnify any of the defendant officers. The City believes that a decision on indemnification is premature at this time given that the state court declaratory action regarding the State Legal Expense Fund is still pending.

Furthermore, although some of the defendant officers are current City employees, the City's position is that any potential conflict regarding indemnification implicates only the State and the individual defendants, not the City.

If I have misstated the City's position in any way, please let us know as soon as possible.

As we mentioned on the phone, our current plan is to approach the Court and raise these issues informally on Friday morning. We will obviously keep you informed of our plans in case you decide that a City representative will attend.

Thanks very much,  
Farhang

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Farhang Heydari  
Neufeld Scheck & Brustin, LLP  
99 Hudson St., 8th Floor | NYC 10013  
T: (212) 965-9081 | F: (212) 965-9084  
[www.nsbcivilrights.com](http://www.nsbcivilrights.com)